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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)	
)	
Plaintiff,	)	Case No. CR 06-60069-AA
	)	Case No. CR 06-60070-AA
v.	)	Case No. CR 06-60071-AA
	)	Case No. CR 06-60078-AA
JOSEPH DIBEE, aka "Seattle,"	)	Case No. CR 06-60079-AA
CHELSEA DAWN GERLACH, aka	)	Case No. CR 06-60080-AA
"Country Girl,"	)	Case No. CR 06-60120-AA
KENDALL TANKERSLEY, aka	)	Case No. CR 06-60122-AA
"Sarah Kendall Harvey,"	)	Case No. CR 06-60123-AA
DANIEL GERARD MCGOWAN, aka	)	Case No. CR 06-60124-AA
"Sorrell", and "Jamie,"	)	Case No. CR 06-60125-AA
STANISLAS GREGORY MEYERHOFF,	)	Case No. CR 06-60126-AA
aka "Country Boy" and "Jack,")	
JOSEPHINE OVERAKER,	)	GOVERNMENT'S
aka "Maria,	)	SENTENCING
JONATHAN MARK CHRISTOPHER PAUL,	)	MEMORANDUM
aka "J.P.,")	
REBECCA RUBIN, aka "Kara,")	
SUZANNE SAVOIE, aka "India,")	
DARREN TODD THURSTON,)	
KEVIN TUBBS, aka "Bob" and "Dog,")	
NATHAN FRASER BLOCK, aka "Exile" and)	
"Hassan," and)	
JOYANNA L. ZACHER, aka "Sheba" and)	
"Sabina,")	
Defendants.)	

The United States of America, by Karin J. Immergut, United States Attorney for the District of Oregon, and Kirk A. Engdall, Stephen F. Peifer, and John C. Ray, Assistant United States Attorneys, hereby submits the following sentencing memorandum in the above-entitled cases.

I. INTRODUCTION

A. Status of Case

All of the above-named defendants have been charged in a superseding indictment by a federal grand jury. On July 20 and 21, 2006, defendants Chelsea Dawn Gerlach, Kendall Tankersley, Stanislas Gregory Meyerhoff, Suzanne Savoie and Kevin Tubbs each entered pleas of guilty to separate informations charging them with conspiracy, in violation of 18 U.S.C. § 371, and multiple counts of arson, in violation of 18 U.S.C. § 844(f) and (i). Defendants Meyerhoff, Gerlach and Tubbs also pleaded guilty to destruction of an energy facility in violation of 18 U.S.C. 1366(a).¹ Additionally, defendant Darren Todd Thurston pleaded guilty to conspiracy, in violation of 18 U.S.C. § 371.² Sentencing has been set in May 2007 for each of these defendants.

On October 9, 2006, defendants Daniel Gerard McGowan, Jonathan Mark Christopher Paul, Joyanna L. Zacher and Nathan Fraser Block entered pleas of guilty to conspiracy, in violation of 18 U.S.C. § 371, and multiple counts of arson (except Paul, who pleaded guilty to

¹ On December 14, 2006, Gerlach and Meyerhoff also entered pleas of guilty to eight counts of arson in an indictment which had been transferred to Oregon from the District of Colorado.

² On January 8, 2007, Thurston also pleaded guilty to conspiracy and arson in an indictment which had been transferred to Oregon from the Eastern District of California.

only one count), in violation of 18 U.S.C. § 844(i). Sentencing for these defendants has been set in June 2007.

B. Format

This case involved a wide-ranging conspiracy over an extended period of time with numerous and different participants at various times. The nature of the conspiracy, the overt acts committed in furtherance of same, and the co-conspirators are best understood if discussed in a comprehensive fashion, as opposed to piecemeal with respect to each defendant. Because of this, the United States is submitting this single sentencing memorandum, with individual sections for each defendant.

II. STATEMENT OF FACTS

A. Background

Between December 25, 1995, and October 15, 2001, at least 20 different arsons and attempted arsons and the destruction of a BPA high voltage tower occurred in five western states, causing property damage in excess of \$40 million. Despite extensive multi-agency investigative efforts, these crimes remained unsolved until the government was able to secure a cooperating witness who knew about and indeed was a participant himself in many of the events. The identity of this individual has now been released. He is Jacob Jeremiah Ferguson, 34.

Once Ferguson began cooperating, the government used him pro-actively to gain corroboration of his statements regarding each of the events. Specifically, he was asked to wear a “body wire” and to seek out and engage other known participants in the events in an attempt to secure recorded statements from them with respect to their participation. Different meetings were arranged, at different times, with Kevin Tubbs, Stanislas Meyerhoff, Kendall Tankersley,

William C. Rodgers (now deceased), Daniel McGowan, Jonathan Paul, Darren Thurston and Chelsea Gerlach. As a result, recorded incriminating statements were obtained from many of these individuals, which led to their arrests and indictment. These initial arrests occurred in early December 2005 and led, in turn, to further cooperating witnesses and later arrests.

Information from the cooperating witnesses not only identified the perpetrators of all the above arsons and attempted arsons and the destruction of a BPA high voltage tower, but also disclosed the existence of a group of persons calling themselves “the Family,” acting loosely under the mantles of the “Animal Liberation Front” and the “Earth Liberation Front” (ALF/ELF). In so doing, they conspired with each other to influence the conduct of government, business and private citizens by means of violence, sabotage, widespread destruction, and intimidation. It was also learned that these individuals took elaborate steps to avoid discovery of their criminal acts, which they termed “actions.” These steps included careful planning, wearing gloves, masks and dark clothing to disguise their appearance during the perpetration of their crimes, using “clean rooms” while constructing incendiary devices, concealing or destroying evidence, using code words and numbers, code names and nicknames when communicating among themselves, producing or obtaining false identification documents to conceal their true identities, fleeing to foreign countries to avoid detection and arrest, and maintaining an intricate web of secrecy and security within their own ranks, even to the point of not discussing events with each other.

The so-called “Book Club” is an example of the elaborate means they took to avoid detection. Nine of the co-conspirators attended a series of five Book Club meetings held in four different states in which they received instruction about numerous subjects which would assist

them in their underground criminal enterprise. These meetings were held in Eugene, Tucson, Santa Cruz, Olympia, and Sisters. Examples of classes being taught included lock picking, reconnaissance of targets, computer security, encrypted messaging, and manufacture of mechanical and electrical timing devices used to initiate incendiary devices.

The participants kept these meetings secret by holding them in different states and using a code system to communicate among themselves outside the meetings. They shared e-mail addresses in which members wrote draft messages and never sent them, but shared them in the draft file. People were expected to check this e-mail site frequently, and the messages were supposed to be deleted after a week. This coding system started with using a series of numbers and a chosen book (hence the name, the “Book Club”) to code and decode the messages, and progressed into using PGP encryption software to keep their messages confidential.

While at each of the meetings, the attendees were expected to explain how they arrived, what countermeasures they used to avoid detection, and what alibi and alias they were using as cover for the meeting. This extraordinary “wall of silence” is what kept their identity from being discovered by law enforcement for such a long time.

Ultimately, this “wall” crumbled. One by one the perpetrators, faced with the prospect of lengthy prison sentences, began to tell of their and others’ involvement in the numerous acts of arson and destruction, more specifically described below.